



GMD SHIPYARD CORP.

BROOKLYN NAVY YARD BLDG. #595
63 FLUSHING AVENUE, UNIT #276
BROOKLYN, NY 11205
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Chief, Water Compliance Branch- Mr. Douglas McKenna
Division of Enforcement and Compliance Assistance
U.S. Environmental Protection Agency – Region 2
290 Broadway – 20th Floor
New York, New York 10007-1866

22 September 2014

Joseph DiMura, P.E., Director
Bureau of Water Compliance Programs
Division of Water, NYSDEC
625 Broadway
Albany, New York 12233-3506

Re: GMD Shipyard Administrative Compliance Order CWA-02-2014-3050

Mr. Douglas McKenna & Mr. Joseph DiMura,

The subject order requires GMD Shipyard to give you an update of progress and of completed specific items as listed under section "C. Ordered Provisions". Item number one (1) of section (C) required that GMD acknowledge receipt and send back a signed copy of the subject compliance order. This was accomplished and the acknowledgement sent to you

The following are the listed items, in order, which appear on the schedule which starts on page 11 of the subject order:

Item (i) – submit permit application to NYS DEC, with a copy to EPA, to obtain SPDES permit coverage for non-stormwater discharges to the East River from the Facility. NYS DEC has been contacted and a request has been made to ascertain the process to obtain additional SPDES permits. GMD have also sought and received the assistance of Mr. Nickolas Mann of Quay LLC, who had accomplished NYS DEC SPDES permits for the Brooklyn Navy Yard. GMD have yet to received direction and or the forms needed to apply for the(se) permit(s) from NYSDEC. GMD is working with NYS DEC and will continue to work with NYS DEC to obtain whatever permit they deem necessary. For the present GMD has not received the forms or direction on how to proceed. GMD Shipyard will cooperater and act quickly once guidance from NYS DEC is given on how to proceed.

In response to the removal of materials from the Graving Dock. GMD Shipyard has been actively soliciting to remove the existing pile of used grit and dredge soil from the south side of the shipyard. That area designated as the used grit storage area. The

existing pile has been sampled in multiple areas so as the pile is well represented by sampling. Inquiries have been sent to multiple landfills in an effort to find what landfill(s) are available to accept this product. The material in the graving dock will be removed and placed in the used grit location as soon as some an area is available to place the material without having it put on top of the existing grit pile.

Item (ii) Other than the existing remaining grit soil that is in the graving dock all areas of the docks have ongoing cleaning efforts. All garbage and waste materials that could be exposed to storm water have been removed and disposed of properly. The eleven (11) used paint cans and trash in the dumpster on Berth 9 have been disposed of, the twenty (20) used paint cans on berth 9 have been picked up and properly disposed of, the noted large grit pile partially uncovered with adjacent spilled spent grit has been cleaned up and disposed of, the clam shell that had contained grit and trash on Berth 8 has been cleaned and the contents disposed of, the blasting grit spilled on a catch basin on berth 8 has been cleaned up, and the uncovered dumpster continuing waste on Berth 8 has been cleared and cleaned of trash.

(b) Storm water catch basins are being completely cleaned out. The entire storm drain system from our main gate down to the water by Berth 8B is being cleaned off all debris, nine of 18 have been completely cleaned. See attachment photos Enclosure 1 through 4. The end of the "Stormwater Outfall 004" system is presently cut off since the end of that pier has been removed and is under construction. The last sixty plus feet of that pier and leading to what was called Berth 8A has been removed for the installation of new pilings and bulk heading. See photographs on the Dry Weather Inspection Report, Enclosure (10). When that work is complete the storm water outflow will be opened again. When the soil pile is removed, those storm drains that exist under the pile, will be opened and cleared of debris.

(c) Work to empty the debris from the graving docks has not started pending removal of some from the present pile

The two small piles of sediment and grit that had been at the north sides of Graving Dock #5 had been removed and disposed of.

(d) Work to remove the oil spill stains that were located inside the hazardous waste area has taken place. Remnants of the oil spill stains did not come out but efforts have been made to get the stain out. The pooling waters with oil sheens mentioned in (d)(2(and (d)(3) have been cleaned up and oil debris put in drums for disposal as oily waste water and debris. See Enclosure 5 and 6.

(e) Concerning the mixing of paints and chemicals as directed in this item. Training on the requirements of SWPP has been held. [Enclosure 6]. The paint department has been directed not to mix paints unless within a covered spill containment. All shipyard members have received training in the requirements of SWPP. Whenever we are using a 55 gal drum or container of any sort the container will be inside a spill try or container

made of non-porous material so that any spilled materials will not make contact with the ground. See Enclosure 7 and 8.

All paint cans, containers, 55 gal drums, have been picked up in the yard. Both grit piles has been completely covered pending removal. The clam shell type container has been cleaned of spent grit. The blasting glass spilled material referenced has been cleaned up.

GMD has also accomplished a facility dry weather inspection. This was accomplished on September 5, 2014. A copy is Enclosure 10.

As for the costs associated with accomplishing the cleanup of the yard:

- a) For cleaning out the storm drains, which is continuing on a day by day basis. To date we have used 456 man hours which is the equivalent to \$29,640.00. Cost to analyze the material to determine if it is hazardous waste, we do not yet have the analysis results, cost is approx. \$ 650.00. After the results of the analysis are known, the cost to dispose of the debris will be determined.
- b) For purchasing storm drain covers, we are experimenting with various types, So far we have spent \$ 1120.00 to cover the cleaned out drains of stormwater outflow 002, we will be purchasing more as we clean out the drains for outflows 3 and 4.
- c) For working to accomplish new permits: 18 mhrs
- d) To accomplish training of managers in the requirements of SWPPP:
 - i) Training for shipyard managers 9/10: 13 men x 1.0 hours = 13 mhrs
 - ii) Generic SPDES/SPPP training for all shipyard workers 9/12: 38 men x 1.0 hours=38.0 mhrs
 - iii) Specific training of BMP #1 to all shipyard workers 9/17: 46 men x 1.0hr = 46 mhrs
 - iv) To put together a paint booth for mixing paints and chemicals – ‘ongoing’, to date 120 mhrs and \$1900.00 in materials, which is roughly \$9700.00
- e) For cleaning the old spills in the hazardous waste area:
 - i) 4 men x 12 hours, roughly \$3120.00
 - ii) Disposal of one drums nonhazardous oil spill solids, roughly \$115.00 plus shipping
- f) For disposing oil contaminated debris in drums from cleanup of oily storm water, disposing drum of oily waste is roughly \$115.00 plus shipping
- g) For purchasing covers to be placed over disposal dumpsters to keep debris from coming out after dumpster has been used. Purchase four covers. \$ _____
- h) For cleaning up spilled glass grit from south side of Graving Dock #5, north side of Graving Dock #6 and south side of Graving Dock #6.. For cleaning up spilled black beauty grit from north side of Graving Dock #6.
 - i) 4 men for 8 hours or 32 mhrs; this equates to approx. \$ 2,080.00

ii) the unused spilled grit was placed on the grit pile and will be sent out when the grit pile is disposed of (new grit does not damage the analysis already done)

- i) For cleaning up the catch basin area adjacent to Dry Dock #1
 - i) a minimum of 4 men x 8 hours = 32 mhrs, which is roughly \$2,080.00
 - ii) Disposal of waste materials from Graving Dock #1. \$15,600.00

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry or the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Regards,

Kevin A. Nugent
HSE Director
knugent@gmdshipyard.com

Enclosures:

- 1) Photograph of cleaned out storm drain
- 2) Photograph of different version of storm drain that has been cleaned out
- 3) Photograph of a cleaned out storm drain without cover
- 4) Photograph of a different cleaned out storm drain without cover
- 5) Photograph of men cleaning the spilled debris inside the hazardous waste drum area
- 6) Photograph of men cleaning the spilled debris marks inside the haz waste area
- 7) GMD SWPPP Training for Managers – Training sign in plus 2 sheets
- 8) GMD SWPPP and SPDES Training for Entire Shipyard – Training sign in plus 6 sheets
- 9) GMD Shipyard Best Management Practices Training Part 1 – Training sign in plus 6 sheets
- 10) GMD Shipyard Annual Dry weather storm drain flow inspection dated 5Sept2014

Photographs:



Enclosure 1



A different drain cover design at GMD. Drain was cleared of all debris.
Enclosure 2



Drain cleared to the bottom - Enclosure 3



Another drain cleared to the bottom - Enclosure 4



Clean up of drum area – enclosure 5



Clean up of drum area – Enclosure 6

Training:

Enclosure 7 (3 pages), 8 (7 pages), and 9 (7 pages)

Copy of Dry Weather Inspection:

Enclosure 10 Accomplished 9/5/2014

Dry Weather Inspection

5 September 2014

Permit # NYR00D162

1. Outflow locations per Quay Consulting Drainage System diagram of June 28, 2003, 009, 008, 004, and 003. These relate to my previous drains in order #4, #3, #2, #1 (See NOTES under Table)
2. Time and date per table: *Kevin Nugent 5 Sept 2014*

Outflow No.	Insp. Time/Date	Insp. Person	Describe Discharge	Source of discharge	Action Taken
009	1:54 PM 9/5/2014	Kevin Nugent	No discharge/ No flow	None	None
008	2:15 PM 9/5/2014	Kevin Nugent	No Discharge/ No Flow	None	None
004	2:35 PM 9/5/2014	Kevin Nugent	No Discharge/ No Flow	None	None
003	2:58 9/5/2014	Kevin Nugent	No Discharge/ No flow	none	None

Notes:

a. The northern most storm drains of #009 look to be clean, all had standing water at level of tide, there are some storm drains that need to be cleared

b. The outflow #008 allegedly discharges near the sump pump discharge on the north side of caisson 5. There was no evidence of any outflow. There are many storm drains in the 008 system that need to be cleared of debris.

c. The outflow #004 has active construction and has been disturbed. Attached is a picture of what I believe remains of the last storm drain before the discharge. The discharge area has active construction taking place. Past this drain there is water, the entire end of the pier has been removed. See pictures:

d. The outflow 003 is not on GMD Shipyard property. I reviewed the area and found no flow. However, there was a complete change and extensive construction on this property so there is no way for me to know if the drain system is intact. I reported what I observed.

